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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 WILLIAM B. BANER,

No. C -12-01189 EDL

11 Plaintiff,

ORDER TO SHOW CAUSE

12 v.

13 WELLS FARGO BANK,

14 Defendant.
15 _____/

16 On July 17, 2012, the Court held a hearing on Defendant's Motion to Dismiss Plaintiff's
17 complaint. Plaintiff had not filed an opposition to the Motion to Dismiss, but Plaintiff's counsel
18 appeared at the hearing. At the hearing, the Court indicated that it intended to grant the motion on
19 the merits, and Plaintiff agreed to file an amended complaint no later than July 31, 2012. On July
20 23, 2012, the Court issued an Order granting Defendant's Motion to Dismiss, and stating that an
21 amended complaint was due no later than July 31, 2012. Plaintiff did not file an amended
22 complaint, and has not otherwise communicated with the Court regarding the amended complaint.

23 Accordingly, Plaintiff is hereby ordered to show cause why this case should not be
24 dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff's
25 written response to this Order to Show Cause shall be due no later than August 24, 2012. A show
26 cause hearing is scheduled for September 4, 2012 at 2:00 p.m. in Courtroom E, 15th floor, 450
27 Golden Gate Avenue, San Francisco, CA. It is further ordered that if Plaintiff fails to file a response
28 to this Order to Show Cause by August 24, 2012, the Court will dismiss this action for failure to

1 prosecute.

2 IT IS SO ORDERED.

3 Dated: August 10, 2012

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge

United States District Court
For the Northern District of California

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